

Attorney Docket No. CIRC014
Client/Matter No. 80142.2004
Express Mail No. EL841973538US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark Vange, et al.

Serial No. 09/835874

Filed: April 16, 2001

For: CONDUCTOR GATEWAY
BUFFER PRIORITIZATION

Group Art Unit: 2152

Examiner:

PETITION IN RESPONSE TO NOTICE OF OMITTED ITEMS UNDER 37 CFR 1.53(e)

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application, Filing Date Granted, mailed June 11, 2001, Applicants petition for consideration of the attached evidence that the purportedly missing page 35 was in fact deposited with the non-provisional application papers. Accompanying this petition is the Declaration of Stuart T. Langley, and a copy of the entire package of materials that were mailed together including a copy of the return postcard and Utility Patent Application Transmittal Letter indicating that 61 pages of specification were filed. Also enclosed is a copy of the PTO Notice form. Please charge the petition fee of \$130, if required, to Deposit Account No. 50-1123. Any fee deficiency associated with this communication may be charged to Deposit Account No. 50-1123.

Dated: August 13, 2001

08/16/2001 BSAYAS11 00000062 501123 09835874
01 FC:122 130.00 CH

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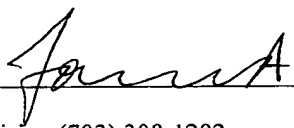
OFFICE OF PETITIONS

a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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